

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM J. CHAFFIN, JR.,

No. 4:22-CV-01242

Petitioner,

(Chief Judge Brann)

v.

WARDEN, FCI ALLENWOOD
MEDIUM,

Respondent.

ORDER

JANUARY 19, 2024

AND NOW, upon consideration of the January 19, 2024 Order¹ by the United States Court of Appeals for the Third Circuit, in which the Third Circuit remanded this case for the limited purpose of determining whether Chaffin—who filed his notice of appeal out of time—is entitled to relief under Federal Rule of Appellate Procedure 4(a)(5) or 4(a)(6),² and the Court observing that Chaffin indicates that he did not receive this Court’s October 25, 2022 Memorandum³ and Order⁴ dismissing his Section 2241 petition for lack of jurisdiction until he requested copies from the Clerk of Court in mid-February 2023,⁵ and further

¹ Doc. 16.

² See *id.* at 2.

³ Doc. 6.

⁴ Doc. 7.

⁵ See Docs. 8, 9.

observing that Chaffin promptly filed his notice of appeal several days later,⁶ and the Court finding that Chaffin satisfies the conditions under Federal Rule of Appellate Procedure 4(a)(6) to reopen the time to appeal, and additionally noting that the Third Circuit has explained that Chaffin does not need to file another notice of appeal,⁷ **IT IS HEREBY ORDERED** that the time to appeal is **REOPENED** pursuant to Federal Rule of Appellate Procedure 4(a)(6) and Chaffin's notice of appeal (Doc. 10) is deemed to be properly filed within the 14-day window provided by that rule.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge

⁶ See Doc. 10.

⁷ See Doc. 16 at 2.